

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

ANTHONY STEWART,

**Plaintiff(s),**

V.

NICOLETTE JOY HAWKINS, et al.,

Defendant(s).

Case No. 2:23-cv-00277-MMD-NJK

## ORDER

[Docket No. 54]

Pending before the Court is Plaintiff's motion requesting the Las Vegas Metropolitan Department ("LVMPD") to file the last known address of Defendant Schreiner under seal. Ct. No. 54.<sup>1</sup> No response was filed. The motion is properly resolved without a hearing. *See* Rule 78-1.

Plaintiff attempted service once on Defendant Schreiner through LVMPD. *See* Docket No.

19. Because Defendant Schreiner is no longer employed by LVMPD, however, service was not effectuated. *See id.* Plaintiff's current motion seeks information from LVMPD as to Defendant Schreiner's current address to attempt service again. *See Docket No. 54 at 1.*<sup>2</sup>

LVMPD is not a party to this case, so Plaintiff's request is more naturally considered as seeking a subpoena for the information sought. *See McGee v. Cnty. of Riverside*, 2022 U.S. Dist. Lexis 193707, at \*2 (C.D. Cal. Oct. 21, 2022). While such a subpoena is potentially available to Plaintiff, parties have a duty to avoid unnecessary service expenses, Fed. R. Civ. P. 4(d)(1), and courts generally refrain from utilizing the subpoena process for similar types of information when

<sup>1</sup> The Court liberally construes the filings of *pro se* litigants, particularly those who are prisoners bringing civil rights claims. *Blaissell v. Frappiea*, 729 F.3d 1237, 1241 (9th Cir. 2013).

<sup>2</sup> No explanation is provided as to why Plaintiff is seeking Defendant Schreiner's banking information, *see id.*, so that request will be denied.

1 opposing counsel may readily provide it, *see, e.g.*, *Picozzi v. Clark Cnty. Det. Ctr.*, 2016 U.S. Dist.  
2 Lexis 152607, at \*5-6 (D. Nev. Nov. 2, 2016); *McGee*, 2022 U.S. Dist. Lexis 193707, at \*2.

3 To expedite resolution of the case on its merits and in lieu of directing issuance of a  
4 subpoena *duces tecum*, the Court will direct counsel for Defendant Hawkins to investigate whether  
5 LVMPD has a last known address for Defendant Schreiner. *See id.* at \*6. Counsel must file a  
6 notice on the public docket identifying whether LVMPD has such information. If LVMPD does  
7 have such information, counsel must file under seal the last known address for Defendant Schreiner  
8 by June 11, 2025. Doing so will protect the confidential information of law enforcement personnel,  
9 while providing sufficient information for the United States Marshals Service to attempt service  
10 again. If contact information is provided by counsel, Plaintiff must file a motion requesting an  
11 order for the Marshals Service to attempt service again. Plaintiff must file this motion by June 25,  
12 2025.

13 As stated above, the Court **GRANTS** Plaintiff's motion requesting the LVMPD to provide  
14 the last known address of Defendant Schreiner to the Court under seal. The deadline to effectuate  
15 service is **EXTENDED** to July 30, 2025.

16 IT IS SO ORDERED.

17 Dated: May 28, 2025

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19 Nancy J. Koppe  
United States Magistrate Judge

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